

Burton	Leyendecker
Cagle	Loggins
Callan	Mauritz
Deglandon	McConnell
Derden	Moffett
Farmer	Oliver
Fielden	Palmer
Graves	Patterson
Hamilton	of Travis
Hanna	Reed of Bowie
Johnson of Ellis	Ross
Jones of Wise	Rutta
Kelt	Simpson
Kern	Smith
King	of Matagorda
Knetsch	Weldon
Langdon	Westbrook
Lankford	

Nays—34

Alexander	Lanning
Amos	Leath
Beckworth	Little
Boethel	McCracken
Bond	Quinn
Boyer	Ragsdale
Bradford	Riddle
Dollins	Roark
Gibson	Settle
Hankamer	Stevenson
Harbin	Tarwater
Harper	Tennant
Harris of Archer	Tennyson
Harris of Dallas	Waggoner
Harris of Dickens	Winfree
Hartzog	Wood
Hyder	Worley

Absent

Adkins	Hoskins
Alsup	Howard
Baker	Huddleston
Bell	Hull
Blankenship	Jackson
Carssow	Johnson
Cathey	of Tarrant
Cauthorn	Jones of Angelina
Celaya	Jones of Falls
Cleveland	Keefe
Davis of Haskell	Keith
Davis of Jasper	Kenyon
Davison of Fisher	London
Davisson	Lucas
of Eastland	Mann
Dean	Mays
Dickison	McDonald
England	McFarland
Felty	McKee
Fox	McKinney
Hardin	Metcalfe
Harrell	Monkhouse
Heflin	Morris
Herzik	Morse
Holland	Newton

Patterson of Mills	Shell
Powell	Skaggs
Prescott	Smith of Hopkins
Reader	Stinson
Reed of Dallas	Stocks
Rhodes	Talbert
Russell	Thornberry
Schuenemann	Thornton
Sewell	Vale
Sharpe	Walker

Absent—Excused

Bates	Leonard
Colquitt	Nicholson
Fuchs	Petsch
James	Pope
Jones of Atascosa	Smith of Tarrant

The House, accordingly, at 10:10 o'clock p. m., adjourned until 10:00 o'clock a. m., Wednesday, March 3.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Constitutional Amendments: House Joint Resolutions Nos. 10 and 26.

Criminal Jurisprudence: House Bills Nos. 398 and 672.

Penitentiaries: House Bill No. 703.

TWENTY-NINTH DAY

(Wednesday, March 3, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Bridgers
Adkins	Broadfoot
Alexander	Brown
Alsup	Burton
Amos	Cagle
Baker	Callan
Beckworth	Carssow
Bell	Cathey
Blankenship	Cauthorn
Boethel	Celaya
Bond	Cleveland
Boyer	Davis of Haskell
Bradbury	Davis of Jasper
Bradford	Davison of Fisher

Davisson	Mays
of Eastland	McConnell
Deglandon	McCracken
Derden	McDonald
Dickison	McFarland
Dollins	McKee
England	McKinney
Farmer	Metcalf
Felty	Moffett
Fielden	Monkhouse
Fox	Morris
Fuchs	Morse
Gibson	Newton
Graves	Nicholson
Hamilton	Oliver
Hankamer	Palmer
Hanna	Patterson of Mills
Harbin	Patterson
Hardin	of Travis
Harper	Pope
Harrell	Powell
Harris of Archer	Prescott
Harris of Dallas	Quinn
Harris of Dickens	Ragsdale
Hartzog	Reader
Heflin	Reed of Bowie
Herzik	Reed of Dallas
Holland	Rhodes
Hoskins	Riddle
Howard	Roark
Huddleston	Ross
Hull	Russell
Hyder	Rutta
Jackson	Schuenemann
Johnson of Ellis	Settle
Johnson	Sewell
of Tarrant	Sharpe
Jones of Angelina	Shell
Jones of Atascosa	Simpson
Jones of Falls	Skaggs
Jones of Wise	Smith of Hopkins
Keefe	Smith
Keith	of Matagorda
Kelt	Smith of Tarrant
Kenyon	Stevenson
Kern	Stinson
King	Stocks
Knetsch	Talbert
Langdon	Tennant
Lankford	Tennyson
Lanning	Thornberry
Leath	Thornton
Leonard	Vale
Leyendecker	Waggoner
Little	Walker
Loggins	Weldon
London	Westbrook
Lucas	Winfree
Mann	Wood
Mauritz	Worley
	Absent—Excused
Bates	James
Colquitt	Petsch
Dean	Tarwater

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered prayer.

LEAVES OF ABSENCE GRANTED

The following Member was granted leave of absence on account of important business:

Mr. Petsch for today and tomorrow, on motion of Mr. Graves.

The following Members were granted leaves of absence on account of illness:

Mr. Dean for today, on motion of Mr. Keith.

Mr. James for today, on motion of Mr. Newton.

Mr. Tarwater for today, on motion of Mr. Nicholson.

Mr. Davis of Haskell, temporarily for today, on motion of Mr. Stocks.

Mr. Colquitt for today, on motion of Mr. Harper.

BILL ORDERED NOT PRINTED

On motion of Mr. Wood, Senate Bill No. 200 was ordered not printed.

HOUSE BILLS ON FIRST READING

Mr. McFarland moved to introduce, at this time, and have placed on first reading, House Bill No. 967.

The motion prevailed by the following vote:

Yeas—111

Adkins	Davisson
Alexander	of Eastland
Alsup	Deglandon
Amos	Derden
Baker	Dickison
Beckworth	Dollins
Bell	Farmer
Blankenship	Felty
Boethel	Fuchs
Bond	Gibson
Boyer	Graves
Bradbury	Hamilton
Bradford	Hankamer
Bridgers	Hanna
Broadfoot	Hardin
Brown	Harper
Burton	Harrell
Callan	Harris of Archer
Carssow	Harris of Dallas
Cathey	Harris of Dickens
Cauthorn	Hartzog
Cleveland	Heflin
Davis of Haskell	Herzik
Davison of Fisher	Hoskins

Huddleston	Powell
Hull	Prescott
Johnson of Ellis	Quinn
Johnson	Reader
of Tarrant	Reed of Bowie
Jones of Angelina	Reed of Dallas
Jones of Atascosa	Rhodes
Jones of Falls	Roark
Jones of Wise	Ross
Keith	Russell
Kelt	Rutta
Kern	Schuenemann
Knetsch	Sewell
Lankford	Sharpe
Lanning	Shell
Little	Simpson
Loggins	Skaggs
London	Smith of Hopkins
Lucas	Smith
Mann	of Matagorda
Mauritz	Stevenson
McConnell	Stinson
McCracken	Stocks
McDonald	Tennant
McFarland	Tennyson
McKee	Thornberry
Metcalfe	Thornton
Moffett	Vale
Morris	Waggoner
Nicholson	Walker
Oliver	Weldon
Patterson	Winfrees
of Travis	Wood
Pope	

Present—Not Voting

Keefe

Talbert

Absent

Cagle	Leonard
Celaya	Leyendecker
Davis of Jasper	Mays
England	McKinney
Fielden	Monkhouse
Fox	Morse
Harbin	Newton
Holland	Palmer
Howard	Patterson of Mills
Hyder	Ragsdale
Jackson	Riddle
Kenyon	Settle
King	Smith of Tarrant
Langdon	Westbrook
Leath	Worley

Absent—Excused

Bates	James
Colquitt	Petsch
Dean	Tarwater

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. McFarland and Mr. Tennyson:

H. B. No. 967, A bill to be entitled "An Act to provide that in all cases of delinquent taxes for the year 1935 and all prior years where it appears that an assessment has been made at a valuation excessive and unreasonable, the Commissioners' Court shall be authorized to correct or reduce such values on the request of the tax collector; providing that cities, towns, villages, school districts, road districts, levy improvement districts, water improvement districts, irrigation districts and all other political subdivisions authorized to assess and collect taxes, and the governing authorities thereof may also correct and reduce such excessive and unreasonable values, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

Mr. Worley moved to introduce, at this time, and have placed on first reading, House Bill No. 968.

The motion prevailed by the following vote:

Yeas—115

Adkins	Fielden
Alexander	Gibson
Alsup	Hamilton
Amos	Hankamer
Baker	Hanna
Beckworth	Hardin
Bell	Harper
Blankenship	Harrell
Boethel	Harris of Archer
Bond	Harris of Dallas
Boyer	Harris of Dickens
Bradbury	Heflin
Bradford	Herzik
Bridgers	Hoskins
Broadfoot	Huddleston
Brown	Hull
Burton	Johnson of Ellis
Cagle	Johnson
Callan	of Tarrant
Carssow	Jones of Angelina
Cathey	Jones of Atascosa
Cauthorn	Jones of Falls
Cleveland	Jones of Wise
Davis of Haskell	Keefe
Davison of Fisher	Keith
Davisson	Kern
of Eastland	King
Deglandon	Knetsch
Derden	Lankford
Dickison	Lanning
Dollins	Leyendecker
Farmer	Loggins

London	Russell
Lucas	Rutta
Mann	Schuenemann
Mauritz	Sewell
Mays	Sharpe
McConnell	Shell
McCracken	Simpson
McDonald	Skaggs
McFarland	Smith of Hopkins
McKee	Smith
McKinney	of Matagorda
Metcalfe	Smith of Tarrant
Moffett	Stevenson
Morris	Stinson
Morse	Stocks
Newton	Talbert
Nicholson	Tennant
Oliver	Tennyson
Palmer	Thornberry
Patterson	Thornton
of Travis	Vale
Pope	Waggoner
Powell	Walker
Prescott	Weldon
Reader	Winfree
Reed of Dallas	Wood
Rhodes	Worley
Roark	

Nays—3

Fuchs	Reed of Bowie
Graves	

Present—Not Voting

Westbrook

Absent

Celaya	Kenyon
Davis of Jasper	Langdon
England	Leath
Felty	Leonard
Fox	Little
Harbin	Monkhouse
Hartzog	Patterson of Mills
Holland	Quinn
Howard	Ragsdale
Hyder	Riddle
Jackson	Ross
Kelt	Settle

Absent—Excused

Bates	James
Colquitt	Petsch
Dean	Tarwater

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Worley:

H. B. No. 968, A bill to be entitled "An Act making an appropriation out of the General Fund for the Allison Independent School district; providing

the use to which it shall be put; and declaring an emergency."

Referred to the Committee on Appropriations.

Mr. Smith of Tarrant moved to introduce, at this time, and have placed on first reading, House Bill No. 969.

The motion prevailed by the following vote:

Yeas—109

Adkins	Jones of Wise
Alexander	Keith
Alsup	Kelt
Amos	Kern
Baker	King
Beckworth	Knetsch
Bell	Lankford
Boethel	Lanning
Bond	Leath
Boyer	Loggins
Bradbury	London
Bradford	Lucas
Bridgers	Mann
Broadfoot	Mauritz
Brown	Mays
Burton	McConnell
Cagle	McCracken
Callan	McDonald
Cathey	McFarland
Cauthorn	McKee
Cleveland	McKinney
Davison of Fisher	Metcalfe
Davisson	Moffett
of Eastland	Morse
Deglandon	Newton
Derden	Nicholson
Dollins	Oliver
Farmer	Palmer
Felty	Patterson
Fielden	of Travis
Fuchs	Powell
Gibson	Prescott
Hamilton	Reader
Hankamer	Reed of Bowie
Hanna	Rhodes
Harbin	Roark
Hardin	Russell
Harper	Schuenemann
Harrell	Sewell
Harris of Dallas	Sharpe
Hartzog	Shell
Heflin	Simpson
Herzik	Skaggs
Hoskins	Smith of Hopkins
Huddleston	Smith
Hull	of Matagorda
Jackson	Smith of Tarrant
Johnson of Ellis	Stinson
Johnson	Stocks
of Tarrant	Talbert
Jones of Angelina	Tennant
Jones of Atascosa	Tennyson
Jones of Falls	Thornberry

Thornton	Winfree
Waggoner	Wood
Walker	Worley
Weldon	

Nays—1

Reed of Dallas

Present—Not Voting

Harris of Archer	Westbrook
Keefe	

Absent

Blankenship	Leyendecker
Carssow	Little
Celaya	Monkhouse
Davis of Jasper	Morris
Dickison	Patterson of Mills
England	Pope
Fox	Quinn
Graves	Ragsdale
Harris of Dickens	Riddle
Holland	Ross
Howard	Rutta
Hyder	Settle
Kenyon	Stevenson
Langdon	Vale
Leonard	

Absent—Excused

Bates	James
Colquitt	Petsch
Davis of Haskell	Tarwater
Dean	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Smith of Tarrant:

H. B. No. 969, A bill to be entitled "An Act authorizing any subsidiary corporate body politic of the State to pay to the school district the sum or sums equivalent to the amount of bonded indebtedness at the time of the creation of said corporate body, and all other damages that may be sustained by such school district; provided further, that such corporate body may render for taxes, and pay said taxes to the school district for any properties not actually used by the corporate body for the purpose that such body was formed, and declaring an emergency."

Referred to the Committee on Education.

AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 782

Mr. McKee asked unanimous consent of the House that certain corrections be made in House Bill No. 782.

There was no objection offered, and it was so ordered.

BILLS RE-REFERRED

Mr. Keith moved that House Bill No. 617 be withdrawn from the Committee on Criminal Jurisprudence and referred to the Committee on Judiciary.

The motion prevailed.

Mr. Keith moved that House Bill No. 621 be withdrawn from the Committee on Revenue and Taxation and referred to the Committee on Judiciary.

The motion prevailed.

Mr. Metcalfe moved that House Bill No. 817 be withdrawn from the Committee on Counties and referred to the Committee on Criminal Jurisprudence.

The motion prevailed.

MOTION TO TAKE UP HOUSE BILL NO. 48

Mr. Hardin moved that the House Rules governing the regular order of business, at this time, be suspended for the purpose of taking up and considering House Bill No. 48.

Question recurring on the motion to suspend the Rules, yeas and nays were demanded.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—73

Adkins	Huddleston
Alsup	Hull
Amos	Johnson of Ellis
Beckworth	Jones of Angelina
Boethel	Keefe
Bradbury	Kelt
Callan	Kern
Cathey	King
Davis of Haskell	Lankford
Davisson	Lanning
of Eastland	Leath
Deglandon	Leyendecker
Derden	Loggins
Dickison	London
Dollins	Lucas
Farmer	Mann
Fielden	Mays
Hamilton	McConnell
Hanna	McKee
Harbin	Moffett
Hardin	Monkhouse
Harper	Newton
Harris of Dickens	Oliver
Heflin	Palmer
Hoskins	Pope

Powell	Simpson
Prescott	Skaggs
Quinn	Stevenson
Reader	Stocks
Reed of Bowie	Talbert
Reed of Dallas	Tennant
Rhodes	Vale
Russell	Weldon
Rutta	Westbrook
Schuenemann	Winfree
Sewell	Wood
Shell	Worley

Nays—46

Alexander	Jones of Falls
Baker	Jones of Wise
Bell	Keith
Bond	Knetsch
Boyer	McDonald
Bridgers	McFarland
Broadfoot	McKinney
Burton	Metcalfe
Cagle	Morris
Cauthorn	Morse
Celaya	Nicholson
Cleveland	Patterson
Davison of Fisher	of Travis
Felty	Roark
Fox	Ross
Fuchs	Smith of Hopkins
Gibson	Smith
Graves	of Matagorda
Hankamer	Stinson
Harris of Archer	Tennyson
Harris of Dallas	Thornberry
Hartzog	Thornton
Jackson	Waggoner
Johnson	Walker
of Tarrant	

Present—Not Voting

Harrell	Herzik
---------	--------

Absent

Blankenship	Langdon
Bradford	Leonard
Brown	Little
Carssow	Mauritz
Davis of Jasper	McCracken
England	Patterson of Mills
Holland	Ragsdale
Howard	Riddle
Hyder	Settle
Jones of Atascosa	Sharpe
Kenyon	Smith of Tarrant

Absent—Excused

Bates	James
Colquitt	Petsch
Dean	Tarwater

TO GRANT PERMISSION TO
MAINTAIN CERTAIN SUIT

Mr. Mays offered the following resolution:

H. C. R. No. 49, Granting Jim Moore permission to sue Cass County for personal injuries, and authorizing the payment by the county out of the general fund of said county for any judgment to recover.

Whereas, Jim Moore, a citizen of Cass County, Texas, was employed by the County of Cass, as operator of a tractor to do work upon the public roads of said county; and

Whereas, On the 6th day of July, 1931, while in performance of his duties, without any fault on his part, the said tractor turned over, pinning him beneath, and causing him serious bodily injuries, resulting in permanent paralysis of the left leg; and

Whereas, At said time, there was no valid law whereby he might be entitled to recover damages from the said county, nor whereby the county might be empowered to pay him for the said injuries; therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the said Jim Moore be, and is hereby granted permission to bring suit in the District Court of Cass County, Texas, for damages for personal injuries, against Cass County, with service thereon upon the County Judge of the said county to determine whether or not, as under a common law action, the said County of Cass would be liable to the said Jim Moore for the injuries aforesaid; the said cause of action to be judged and determined by the common law and by the liability created by statute against ordinary corporations not entitled to the benefit of the compensation acts; provided that the county may defend upon the grounds of contributory negligence, which said defense, if established, shall be a bar to recovery of any damages on the part of the said Jim Moore, and in event of judgment against the said county, said County of Cass shall be liable for the payment thereof as any other obligation generally coming under the provisions of law similar hereto, and to pay the said judgment, if any, out of the proceeds of the general fund of the said county, or of the Road and Bridge Fund of the said county, as in the judgment of the Commissioners Court may be

determined; provided further that limitation shall not be deemed to commence running until after the passage of this Act; provided further that after the institution of such suit, that the county, acting by and through its County Judge, if in his judgment he deems proper, may compromise said cause of action, and such amount as may be compromised for shall be certified to the Commissioners Court of said county for payment, and the said Commissioners Court is hereby authorized to pay the said amount so compromised for as heretofore provided for the payment of a judgment in such cause.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

AUTHORIZING USE OF CERTAIN HIGHWAY EQUIPMENT

Mr. Lankford offered the following resolution:

H. C. R. No. 50, Authorizing use of certain highway equipment.

Whereas, The State Highway Department possesses a certain roller needful and necessary in the process of crushing rock for filling and leveling roads; and

Whereas, The citizens of Wolfe City in the County of Hunt, and the citizens of Honey Grove in the County of Fannin are preparing to roll rock on certain streets in their respective cities and the same are badly in need of being rolled; and

Whereas, Highway No. 34 will be routed over these certain streets when finished, and Hunt and Fannin Counties are willing and desirous of repairing said streets but need equipment now owned by the State Highway Department; now, therefore, be it

Resolved by the House of Representatives of Texas, the Senate concurring, That the Texas Highway Department be, and the same is hereby authorized and requested to lend such equipment as it now has available to Hunt and Fannin Counties jointly for the purpose and use of repairing these certain streets in the towns of Wolfe City and Honey Grove, Texas, it being understood that such equipment shall remain in the custody of the Commissioners' Court of Hunt County for the purpose and use of repairing these streets in the town of Wolfe

City and in the custody of the Commissioners' Court of Fannin County for the purpose and use of repairing these streets in the town of Honey Grove, only so long as needed for the repair of the streets over which Highway No. 34 is to be routed when completed and that only such equipment as is now owned by the State Highway Department shall be loaned and that no burden of any kind shall be placed on the State Highway Department by reason of such loan.

MORRIS,
LANKFORD,
BROADFOOT.

The resolution was read second time, and was adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 38, by Mr. Rutta, Granting A. J. Laas permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 39, by Mr. Jones of Falls, Granting Mrs. Joe W. Taylor permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 42, by Mr. Pope, Granting Mrs. Pearl Crenshaw permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

Question recurring on the resolution, it was adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 45, by Mr. Kelt, Granting W. F. Sewell permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 46, by Mr. Kelt, Granting E. A. Eliot permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 47, by Mr. Kelt, Granting Mrs. Patsy Ballew Smith permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 37, To grant W. F. Sewell and wife permission to sue the State.

Whereas, The State of Texas, by and through the State Highway Com-

mission, a political subdivision thereof has constructed what is known as State Highway No. 32, Federal Highway No. 75, which runs between the town of Angus and the town of Richland in Navarro County, Texas, and through the homestead property of W. F. Sewell and wife, and which they claim has taken, damaged and destroyed their said property or a portion thereof, and the crops thereon situated by water overflow from Richland Creek, said property being 57 acres of land out of the Upper John White Survey of Navarro County, Texas; said Highway having been constructed during the years 1929, 1930, and 1931, and they claim damage to their crops also for the years 1930, 1931, 1932, and 1933; said J. C. Lewis being a tenant on said place and joining in said suit; said W. F. Sewell and his wife, and J. C. Lewis, claiming that their lands and crops would not have been taken, injured or destroyed, if said road had been properly constructed, or if same had not been constructed at all. The said 57 acres of land is the homestead property of said Sewell and wife, said J. C. Lewis was a tenant thereon and was made a party hereto on account of his interest in the crops growing thereon for the year 1930; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the said W. F. Sewell and wife, and the said J. C. Lewis are hereby granted permission to continue the suit already brought by them against the State of Texas, and the State Highway Commission of Texas, by making them parties defendant in the suit now pending in the District Court of Navarro County, Texas, for the purposes of determining the compensation or damages, if any, said W. F. Sewell and wife, and J. C. Lewis are entitled to recover by reason of the premises above set forth, and set out in their original petition and in their amended petition in said suit on account of the construction of said Highway and the manner of the construction and maintenance thereof.

Said suit was brought in the District Court of Navarro County, Texas, the original petition having been filed on September 21, 1931, and service thereon has been had, and amended petitions have been filed, claiming damages to said lands and the crops growing thereon for the years 1930, 1931, 1932, and 1933, and said W. F.

Sewell and wife and said J. C. Lewis have never been compensated for damages to their said lands and crops, they are hereby granted permission to bring and continue said suit against the said State of Texas, and said State Highway Commission, and pursue the same to final judgment in accordance with their petition and amended petitions filed and to be filed in the District Court of Navarro County, Texas, said cause being No. 17293, upon the docket of said Court. That said suit shall be tried according to the same rules of law and procedure as to liability that would be applicable and available, if such suit were brought against any private corporation under the same facts and circumstances as provided by the laws of this State. It is further provided that service of any process that may be necessary, may be served upon the Chairman of the State Highway Commission, or the Attorney General of the State of Texas, who has answered for said defendants.

It is further ordered, that if the plaintiffs in said suit shall recover a final judgment that same shall be paid out of the State Highway funds.

This resolution is in addition to the resolutions heretofore passed by the Legislature of the State of Texas, and adopted by the House of Representatives on April 29, 1933, being House Concurrent Resolution No. 61, and by the Senate on May 18, 1933; and also to House Concurrent Resolution No. 5, which was adopted by the House of Representatives on February 5, 1934 and adopted by the Senate February 12, 1934.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 38, To grant E. A. Eliot permission to sue the State.

Whereas, The State of Texas, by and through the State Highway Commission, a political subdivision thereof, constructed what is known as State Highway No. 32, Federal Highway No. 75, which runs between the town of Angus and the town of Richland in Navarro County, Texas, and west of the property of E. A. Eliot and his wife, Mrs. Hattie Eliot, and

taking about an acre thereof on the west side of said property, and which they claim has taken, damaged and destroyed their said property and the crops thereon situated by overflow, said property being about 108 acres of land out of the Upper John White League in Navarro County, Texas; said Highway being constructed in the latter part of 1929, and the year 1930 and 1931, and they claim also damage to their crops for the years 1930, 1931, 1932, and 1933; said E. A. Eliot and wife claiming that their lands and crops would not have been taken, injured or destroyed if said road had been properly constructed, or if same had not been constructed at all.

A portion of the crops of 1930 were attempted to be cultivated and made by two tenants, Percy Banks and Charlie Armstrong, but they have assigned their cause of action therefor to said E. A. Eliot and wife; now, therefore, be it

Resolved by the Senate and the House of Representatives of the State of Texas concurring, That said E. A. Eliot and his wife are hereby granted permission to continue the suit already brought by them against the State of Texas and the State Highway Commission of Texas, by making them parties defendant in the suit now pending in the District Court of Navarro County, Texas, for the purpose of determining the compensation or damages, if any, the said E. A. Eliot and his wife are entitled to recover by reason of the premises above set forth and set out in their petition and amended petitions in said suit on account of the construction of said highway and the manner of the construction and maintenance thereof.

Said suit was brought in the District Court of Navarro County, Texas, the Original Petition having been filed on September 12, 1931, and service thereof has been had, and the amended petition as claiming damages to said property and the crops growing thereon for the years 1930, 1931, 1932, and 1933, and said E. A. Eliot and wife have never been compensated for the damages to their said lands and crops, they are hereby granted permission to bring and continue said suit against the said State of Texas and said State Highway Commission and pursue the same to final judgment, in accordance with

their petition and amended petitions filed and to be filed in said District Court of Navarro County, Texas, said cause being No. 17270 upon the docket of said Court.

That said suit shall be tried according to the same rules of law and procedure as to liability that would be applicable and available if such suit were brought against any private corporation under the same facts and circumstances as provided by the laws of this State. It is further provided that any service of any process that may be necessary may be served upon the Chairman of the State Highway Commission or the Attorney General of Texas, who has answered for said defendants.

It is further ordered that if the plaintiffs in said suit shall recover a final judgment, that same shall be paid out of the State Highway funds.

This resolution is in addition to the resolutions heretofore passed by the Legislature of the State of Texas and adopted by the House of Representatives, being House Concurrent Resolution No. 62, on April 29, 1933, and by the Senate on May 18, 1933, and also to House Concurrent Resolution No. 6, which was adopted by the House of Representatives on February 5, 1934, and adopted by the Senate on February 12, 1934.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

SENATE BILL NO. 374 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 374, A bill to be entitled "An Act to amend Subsection (d) of Section 19 of Senate Bill No. 5, Forty-fourth Legislature, First Called Session, Acts, 1935, Chapter 465, and to include therein provision for compensation of county commissioners in counties having a population in excess of 355,000 inhabitants, according to the last preceding or any future Federal Census, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—111

Adkins
Alexander
Alsup

Amos
Baker
Beckworth

Bell
Blankenship
Boethel
Bond
Boyer
Bradbury
Bradford
Brown
Burton
Cagle
Callan
Carssow
Cathey
Cauthorn
Cleveland
Davis of Haskell
Davison of Fisher
Davisson
of Eastland
Deglandon
Derden
Dickison
Dollins
Farmer
Felty
Fielden
Fox
Fuchs
Gibson
Graves
Hamilton
Hankamer
Hanna
Hardin
Harper
Harris of Archer
Harris of Dallas
Harris of Dickens
Hartzog
Heflin
Herzik
Hoskins
Huddleston
Hull
Jackson
Johnson of Ellis
Johnson
of Tarrant
Jones of Angelina
Jones of Atascosa
Jones of Falls
Jones of Wise
Keith
Kelt

Kenyon
Kern
King
Knetsch
Lanning
Leath
Leonard
Leyendecker
Little
London
Lucas
Mann
McConnell
McCracken
McDonald
McFarland
McKee
Metcalf
Moffett
Monkhouse
Morse
Newton
Oliver
Palmer
Patterson
of Travis
Pope
Prescott
Quinn
Reed of Bowie
Reed of Dallas
Rhodes
Roark
Ross
Russell
Rutta
Schuenemann
Sewell
Simpson
Smith of Hopkins
Smith of Tarrant
Stinson
Stocks
Talbert
Tennant
Tennyson
Thornberry
Thornton
Vale
Waggoner
Weldon
Winfree
Wood
Worley

Nays—1

Lankford

Present—Not Voting

Powell
Skaggs

Stevenson
Westbrook

Absent

Bridgers
Broadfoot

Celaya
Davis of Jasper

England
Harbin
Harrell
Holland
Howard
Hyder
Keefe
Langdon
Loggins
Mauritz
Mays
McKinney

Morris
Nicholson
Patterson of Mills
Ragsdale
Reader
Riddle
Settle
Sharpe
Shell
Smith
of Matagorda
Walker

Absent—Excused

Bates
Colquitt
Dean

James
Petsch
Tarwater

SENATE BILL NO. 219 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 219, A bill to be entitled "An Act creating a more efficient special road law for Van Zandt County, Texas, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 219 ON THIRD READING

Mr. Weldon moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 219 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Adkins
Alexander
Alsup
Amos
Baker
Beckworth
Bell
Blankenship
Boethel
Bond
Boyer
Bradbury
Bradford
Bridgers
Brown
Burton
Cagle
Callan
Carssow

Cathey
Cauthorn
Cleveland
Davis of Haskell
Davison of Fisher
Deglandon
Derden
Dickison
Dollins
Farmer
Fielden
Fox
Fuchs
Gibson
Graves
Hamilton
Hankamer
Hanna
Hardin

Harper
Harrell
Harris of Archer
Harris of Dallas
Harris of Dickens
Hartzog
Heflin
Herzik
Hoskins
Hull
Hyder
Jackson
Johnson of Ellis
Johnson
of Tarrant
Jones of Angelina
Jones of Atascosa
Jones of Falls
Jones of Wise
Keefe
Keith
Kelt
Kenyon
Kern
King
Knetsch
Lankford
Lanning
Leath
Leonard
Leyendecker
Little
London
Lucas
Mann
Mauritz
McConnell
McDonald
McFarland
McKee
Metcalf

Moffett
Monkhouse
Morse
Newton
Nicholson
Oliver
Palmer
Patterson
of Travis
Pope
Powell
Prescott
Quinn
Reed of Bowie
Reed of Dallas
Rhodes
Roark
Ross
Russell
Rutta
Schuenemann
Sewell
Shell
Simpson
Skaggs
Smith of Hopkins
Stinson
Stocks
Talbert
Tennant
Tennyson
Thornberry
Thornton
Vale
Waggoner
Walker
Weldon
Westbrook
Winfree
Wood
Worley

Absent

Broadfoot
Celaya
Davis of Jasper
Davison
of Eastland
England
Felty
Harbin
Holland
Howard
Huddleston
Langdon
Loggins
Mays

McCracken
McKinney
Morris
Patterson of Mills
Ragsdale
Reader
Riddle
Settle
Sharpe
Smith
of Matagorda
Smith of Tarrant
Stevenson

Absent—Excused

Bates
Colquitt
Dean

James
Petsch
Tarwater

The Speaker then laid Senate Bill No. 219 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—115

Adkins	Jones of Wise
Alexander	Keefe
Alsup	Keith
Amos	Kelt
Baker	Kenyon
Beckworth	Kern
Bell	King
Blankenship	Knetsch
Boethel	Lankford
Bond	Lanning
Boyer	Leath
Bradbury	Leonard
Bradford	Leyendecker
Bridgers	Little
Broadfoot	London
Brown	Lucas
Burton	Mann
Cagle	Mauritz
Callan	McConnell
Carsow	McDonald
Cauthorn	McKee
Cleveland	Metcalfe
Davis of Haskell	Moffett
Davisson	Monkhouse
of Eastland	Morse
Deglandon	Newton
Derden	Oliver
Dickison	Patterson
Dollins	of Travis
Farmer	Pope
Felty	Powell
Fielden	Prescott
Fox	Quinn
Fuchs	Reed of Bowie
Gibson	Reed of Dallas
Graves	Rhodes
Hamilton	Roark
Hankamer	Ross
Hanna	Russell
Hardin	Rutta
Harper	Schuenemann
Harrell	Sewell
Harris of Archer	Simpson
Harris of Dallas	Skaggs
Harris of Dickens	Smith of Hopkins
Hartzog	Smith of Tarrant
Heflin	Stinson
Herzik	Stocks
Holland	Talbert
Hoskins	Tennant
Hull	Tennyson
Hyder	Thornberry
Jackson	Thornton
Johnson of Ellis	Vale
Johnson	Waggoner
of Tarrant	Walker
Jones of Angelina	Weldon

Westbrook
Winfree

Wood
Worley

Absent

Cathey	McKinney
Celaya	Morris
Davis of Jasper	Nicholson
Davison of Fisher	Palmer
England	Patterson of Mills
Harbin	Ragsdale
Howard	Reader
Huddleston	Riddle
Jones of Atascosa	Settle
Jones of Falls	Sharpe
Langdon	Shell
Loggins	Smith
Mays	of Matagorda
McCracken	Stevenson
McFarland	

Absent—Excused

Bates	James
Colquitt	Petsch
Dean	Tarwater

HOUSE BILL NO. 56 WITH SENATE AMENDMENTS

Mr. Alsup called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 56, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; repealing all laws and parts of laws, General or Special, in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Alsup, the House concurred in the Senate amendments by the following vote:

Yeas—121

Adkins	Bridgers
Alexander	Broadfoot
Alsup	Brown
Amos	Burton
Baker	Cagle
Beckworth	Callan
Bell	Carsow
Boethel	Cathey
Bond	Cauthorn
Boyer	Celaya
Bradbury	Cleveland
Bradford	Davis of Haskell

Davisson	Mann
of Eastland	Mauritz
Deglandon	McConnell
Derden	McDonald
Dickison	McFarland
Dollins	Metcalfe
England	Moffett
Farmer	Monkhouse
Felty	Morris
Fielden	Newton
Graves	Nicholson
Hamilton	Oliver
Hankamer	Palmer
Hanna	Patterson
Harbin	of Travis
Hardin	Pope
Harper	Powell
Harrell	Prescott
Harris of Archer	Quinn
Harris of Dallas	Reed of Bowie
Harris of Dickens	Reed of Dallas
Hartzog	Rhodes
Heflin	Roark
Herzik	Ross
Holland	Russell
Hoskins	Rutta
Hull	Schuenemann
Hyder	Settle
Jackson	Sewell
Johnson of Ellis	Sharpe
Johnson	Shell
of Tarrant	Simpson
Jones of Angelina	Skaggs
Jones of Falls	Smith of Hopkins
Jones of Wise	Smith of Tarrant
Keith	Stinson
Kelt	Stocks
Kern	Talbert
King	Tennant
Knetsch	Tennyson
Langdon	Thornberry
Lankford	Thornton
Lanning	Vale
Leath	Waggoner
Leonard	Walker
Leyendecker	Weldon
Little	Westbrook
Loggins	Winfree
London	Wood
Lucas	Worley

Nays—2

Davison of Fisher Stevenson

Absent

Blankenship	Keefe
Davis of Jasper	Kenyon
Fox	Mays
Fuchs	McCracken
Gibson	McKee
Howard	McKinney
Huddleston	Morse
Jones of Atascosa	Patterson of Mills

Ragsdale
Reader
RiddleSmith
of Matagorda

Absent—Excused

Bates
Colquitt
DeanJames
Petsch
TarwaterSENATE BILL NO. 200 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 200, A bill to be entitled "An Act providing for the installation of signal units on State highways outside of incorporated cities and towns, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 200 ON THIRD
READING

Mr. Wood moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 200 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Adkins	Felty
Alexander	Graves
Alsup	Hamilton
Amos	Hankamer
Baker	Hanna
Beckworth	Harbin
Bell	Harper
Blankenship	Harrell
Boethel	Harris of Archer
Boyer	Harris of Dallas
Bradbury	Harris of Dickens
Bradford	Hartzog
Bridgers	Heflin
Broadfoot	Herzik
Brown	Holland
Burton	Hoskins
Callan	Huddleston
Carssow	Hull
Cauthorn	Jackson
Cleveland	Johnson of Ellis
Davis of Haskell	Johnson
Davisson	of Tarrant
of Eastland	Jones of Angelina
Deglandon	Jones of Atascosa
Derden	Jones of Falls
Dickison	Jones of Wise
Dollins	Keith
Farmer	Kelt

Kern	Rhodes
King	Riddle
Knetsch	Roark
Langdon	Ross
Lanning	Russell
Leath	Rutta
Leyendecker	Schuenemann
Little	Settle
Loggins	Sewell
London	Shell
Lucas	Simpson
Mann	Skaggs
McConnell	Stocks
Metcalfe	Talbert
Moffett	Tennant
Monkhouse	Tennyson
Morse	Thornberry
Newton	Thornton
Oliver	Vale
Palmer	Waggoner
Patterson	Walker
of Travis	Weldon
Powell	Westbrook
Prescott	Winfree
Quinn	Wood
Reed of Bowie	Worley
Reed of Dallas	

Nays—2

Cathey	Lankford
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Absent

Bond	McCracken
Cagle	McDonald
Celaya	McFarland
Davis of Jasper	McKee
Davison of Fisher	McKinney
England	Morris
Fielden	Nicholson
Fox	Patterson of Mills
Fuchs	Pope
Gibson	Ragsdale
Hardin	Reader
Howard	Sharpe
Hyder	Smith of Hopkins
Keefe	Smith
Kenyon	of Matagorda
Leonard	Smith of Tarrant
Mauritz	Stevenson
Mays	Stinson

Absent—Excused

Bates	James
Colquitt	Petsch
Dean	Tarwater

The Speaker then laid Senate Bill No. 200 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—115

Adkins	Alsup
Alexander	Amos

Baker	King
Beckworth	Knetsch
Bell	Langdon
Blankenship	Lanning
Boethel	Leyendecker
Bond	Loggins
Boyer	London
Bradbury	Lucas
Bradford	Mann
Bridgers	Mauritz
Broadfoot	McConnell
Brown	McCracken
Burton	McKee
Callan	McKinney
Carssow	Metcalfe
Cathey	Moffett
Cauthorn	Monkhouse
Cleveland	Morris
Davis of Haskell	Morse
Davisson	Newton
of Eastland	Oliver
Deglandon	Palmer
Derden	Patterson
Dollins	of Travis
England	Pope
Farmer	Powell
Felty	Prescott
Fielden	Quinn
Gibson	Reed of Bowie
Graves	Reed of Dallas
Hamilton	Rhodes
Hankamer	Riddle
Hanna	Roark
Harbin	Ross
Harper	Russell
Harrell	Rutta
Harris of Archer	Schuenemann
Harris of Dallas	Settle
Harris of Dickens	Sewell
Hartzog	Sharpe
Heflin	Shell
Herzik	Simpson
Holland	Skaggs
Hoskins	Stocks
Huddleston	Talbert
Hull	Tennant
Jackson	Tennyson
Johnson of Ellis	Thornberry
Johnson	Thornton
of Tarrant	Vale
Jones of Angelina	Waggoner
Jones of Atascosa	Walker
Jones of Falls	Weldon
Jones of Wise	Westbrook
Keith	Winfree
Kelt	Wood
Kern	Worley

Nays—1

Lankford

Absent

Cagle	Davis of Jasper
Celaya	Davison of Fisher

Dickison	McDonald
Fox	McFarland
Fuchs	Nicholson
Hardin	Patterson of Mills
Howard	Ragsdale
Hyder	Reader
Keefe	Smith of Hopkins
Kenyon	Smith
Leath	of Matagorda
Leonard	Smith of Tarrant
Little	Stevenson
Mays	Stinson

Absent—Excused

Bates	James
Colquitt	Petsch
Dean	Tarwater

MESSAGE FROM THE SENATE

Austin, Texas, March 3, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 123, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which according to the latest Federal Census had a population of not fewer than 4,600 and not more than 4,650, whether organized under general or special law, repealing all laws in conflict herewith, both general and special, and declaring an emergency."

S. B. No. 193, A bill to be entitled "An Act authorizing private corporations heretofore incorporated for the purpose of operating street or inter-urban railways to amend their charters so as to include as an additional purpose of the corporations the acquiring, owning and operating of motor vehicles and motor busses, and declaring an emergency."

H. B. No. 432, A bill to be entitled "An Act amending Article I of Acts, 1935, Forty-fourth Legislature, Second Called Session, page 1795, Chapter 467, known as the 'Texas Liquor Control Act', by adding thereto a new section to be known as Section 50; authorizing search warrant to issue for the purpose of searching for and seizing and disposing of intoxicating liquors under certain circumstances and prescribing the rules relative thereto, and declaring an emergency."

H. B. No. 22, A bill to be entitled "An Act to amend Chapter 3 of the

Acts of the Regular Session of the Thirty-ninth Legislature, the same being an Act entitled: 'An Act to aid the City of Galveston in elevating and raising said City so as to protect it from calamitous overflows by donating and granting to it the State ad valorem taxes and a part of the occupation and poll taxes collected on property and from persons in Galveston County for a period of ten years, and to provide a penalty for their misapplication', by extending the provision of said Act for a period of five years from September 1, 1938, and declaring an emergency."

H. C. R. No. 14, Requesting Governor to issue proclamation for purpose of aiding flood sufferers.

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 258 ON SECOND READING

The Speaker laid before the House (as special order for this hour), on its second reading and passage to engrossment,

H. B. No. 258, A bill to be entitled "An Act crating Firemen's Relief and Retirement Fund in the State of Texas and in all cities, towns, and villages thereof having a regularly organized fire department with fire fighting equipment or apparatus of the value of One Thousand (\$1,000.00) Dollars or more therein; levying and appropriating the proceeds of a designated tax upon gross fire insurance premium receipts, less re-insurance and return premiums paid policyholders, to such Firemen's Relief and Retirement Fund; providing for and directing the distribution thereof; creating and providing for selection of a Board of Firemen's Relief and Retirement Fund Trustees in each such city, town or village that may now be or that may hereafter come within the provisions of this Act; etc., and declaring an emergency."

The bill was read second time.

Mr. Metcalfe offered the following committee amendment to the bill:

Amend House Bill No. 258 after "31st", in line 16 on page 2, by adding these words, "provided, the said two (2%) per cent shall not be passed on to the purchaser of insurance, and the Insurance Department shall not allow such two (2%) per cent as additional

charge in making rates of fire insurance in the State of Texas."

FARMER.

The amendment was adopted.

Mr. Carssow offered the following amendment to the bill:

Amend House Bill No. 258, by inserting the following line in place and in lieu of line No. 33, on page 12: "salary of Thirty-six Hundred Dollars (\$3,600.00) pay".

The amendment was adopted.

Mr. Hardin offered the following amendment to the bill:

Amend House Bill No. 258, by adding to Section 2 thereof a section to be known as "Section 2b" which shall read, as follows:

"In addition to the tax imposed under the provisions of Section 2a of this Act the beneficiaries under the terms of this Act shall pay and contribute to the fund hereby created a sum equivalent to five per centum (5%) of the gross wages or salary earned by each such beneficiary for the discharge of the duties entitling him to become a beneficiary under the terms hereof, and to participate in the fund hereby created. It shall be the duty of the fiscal agent of each municipality to deduct from the salary or wages of such beneficiary at the time when said wages are paid the amount of such contribution, and failure on the part of such fiscal agent to collect the same at the time of the payment of such wages or salary shall render such fiscal agent individually liable for the amount thereof; and any person otherwise entitled to participation under the terms of this Act who fails, neglects and refuses to pay said contribution shall be forever barred from participating in said fund. Said fiscal agent shall immediately upon collection of the contribution herein provided for remit the same to the Board of Firemen's Relief and Retirement Fund Trustees as hereinafter created, and shall remit the same together with forms to be prepared by said Board for said purpose."

(Mr. Stinson in the Chair.)

On motion of Mr. Metcalfe, the amendment was tabled.

Mr. Reader offered the following amendment to the bill:

Amend House Bill No. 258, Section 6, page 6, line 2, by striking out the words and figures "25 years" and inserting in lieu thereof "20 years".

Mr. Alsup offered the following substitute for the amendment by Mr. Reader:

Amend House Bill No. 258, Section 6, page 6, line 2, by striking out the figures and words "25 years" and inserting in lieu thereof "5 years".

ALSUP,
WESTBROOK.

On motion of Mr. Metcalfe, the substitute amendment was tabled.

Mr. Alsup offered the following substitute for the amendment by Mr. Reader:

Amend House Bill No. 258, Section 6, page 6, line 2, by striking out "25 years" and inserting "10 years".

ALSUP,
WESTBROOK,
BECKWORTH.

On motion of Mr. Prescott, the substitute amendment was tabled.

Question recurring on the amendment by Mr. Reader, it was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 258 was then passed to engrossment.

HOUSE BILL NO. 258 ON THIRD READING

Mr. Metcalfe moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 258 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

Alexander	Cathey
Alsup	Cauthorn
Amos	Celaya
Baker	Cleveland
Beckworth	Davis of Jasper
Bell	Davisson
Blankenship	of Eastland
Boethel	Deglandon
Bond	Derden
Boyer	Dickison
Bradbury	Dollins
Bridgers	Farmer
Broadfoot	Felty
Brown	Fielden
Burton	Gibson
Cagle	Graves
Callan	Hamilton
Carssow	Hankamer

Hanna	Moffett
Hardin	Monkhouse
Harper	Morris
Harrell	Morse
Harris of Archer	Newton
Harris of Dallas	Nicholson
Harris of Dickens	Patterson of Mills
Hartzog	Patterson
Heflin	of Travis
Herzik	Pope
Holland	Prescott
Huddleston	Quinn
Hull	Ragsdale
Hyder	Reader
Jackson	Reed of Bowie
Johnson of Ellis	Reed of Dallas
Johnson	Rhodes
of Tarrant	Roark
Jones of Angelina	Ross
Jones of Falls	Russell
Jones of Wise	Rutta
Keefe	Schuenemann
Keith	Settle
Kelt	Sewell
Kern	Sharpe
King	Shell
Knetsch	Simpson
Langdon	Skaggs
Lankford	Smith of Hopkins
Lanning	Smith
Leath	of Matagorda
Leonard	Smith of Tarrant
Leyendecker	Stocks
Little	Talbert
Loggins	Tennant
London	Tennyson
Lucas	Thornberry
Mauritz	Thornton
Mays	Vale
McConnell	Waggoner
McDonald	Walker
McFarland	Weldon
McKee	Winfree
McKinney	Wood
Metcalfe	Worley

Nays—4

Fox	Palmer
Hoskins	Powell

Absent

Adkins	Kenyon
Bradford	Mann
Davison of Fisher	McCracken
England	Oliver
Fuchs	Riddle
Harbin	Stevenson
Howard	Stinson
Jones of Atascosa	Westbrook

Absent—Excused

Bates	Davis of Haskell
Colquitt	Dean

James	Tarwater
Petsch	

The Chair then laid House Bill No. 258 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—133

Adkins	Huddleston
Alexander	Hull
Alsup	Hyder
Amos	Jackson
Baker	Johnson of Ellis
Beckworth	Johnson
Bell	of Tarrant
Blankenship	Jones of Angelina
Boethel	Jones of Falls
Bond	Jones of Wise
Boyer	Keefe
Bradbury	Keith
Bradford	Kelt
Bridgers	Kern
Broadfoot	King
Brown	Knetsch
Burton	Langdon
Cagle	Lankford
Callan	Lanning
Carssow	Leath
Cauthorn	Leonard
Celaya	Leyendecker
Cleveland	Little
Davis of Haskell	Loggins
Davis of Jasper	London
Davison of Fisher	Lucas
Davisson	Mann
of Eastland	Mauritz
Deglandon	Mays
Derden	McConnell
Dickison	McDonald
Dollins	McFarland
England	McKee
Farmer	McKinney
Felty	Metcalfe
Fielden	Moffett
Fuchs	Monkhouse
Gibson	Morris
Graves	Morse
Hamilton	Newton
Hankamer	Nicholson
Hanna	Oliver
Harbin	Patterson of Mills
Hardin	Patterson
Harper	of Travis
Harrell	Pope
Harris of Archer	Prescott
Harris of Dallas	Quinn
Harris of Dickens	Ragsdale
Hartzog	Reader
Heflin	Reed of Bowie
Herzik	Reed of Dallas
Holland	Rhodes
Howard	Riddle

Roark	Stocks
Ross	Talbert
Russell	Tennant
Rutta	Tennyson
Schuenemann	Thornberry
Settle	Thornton
Sewell	Vale
Sharpe	Waggoner
Shell	Walker
Simpson	Weldon
Skaggs	Westbrook
Smith of Hopkins	Winfree
Smith	Wood
of Matagorda	Worley
Smith of Tarrant	

Nays—4

Fox	Kenyon
Hoskins	Powell

Absent

Cathey	Palmer
Jones of Atascosa	Stevenson
McCracken	Stinson

Absent—Excused

Bates	James
Colquitt	Petsch
Dean	Tarwater

SPECIAL ORDER SET

Mr. Knetsch moved that House Bill No. 67 be set as a special order for 10:30 o'clock a. m., Friday, March 5.

The motion prevailed.

HOUSE BILL NO. 271 ON PASSAGE TO ENGROSSMENT

The Chair laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 271, A bill to be entitled "An Act making appropriations for the support and maintenance of summer schools during the summer of the year 1937, at the several State Institutions of Higher Learning in the State of Texas, authorizing the expenditure of said institutions of certain additional amounts from fees collected from summer school students, and declaring an emergency."

The bill having been read second time on Friday, February 26.

(Speaker in the Chair.)

Mr. Cagle offered the following committee amendments to the bill:

Amend House Bill No. 271, by striking out all below the enacting clause and insert in lieu thereof the following:

"Section 1. The several sums of money named herein, or so much thereof as may be necessary, together with the matriculation or tuition fees and laboratory fees collected from summer school students by the respective institutions, are hereby appropriated for the support and maintenance of summer schools at each of the institutions indicated during the summer of the year 1937, as follows:

SCHOOL	NO. STUDENTS	AMOUNT
University of Texas	5,510	\$ 82,650.00
Texas A. & M. College	1,451	21,765.00
John Tarleton Agricultural College	350	7,000.00
North Texas Agricultural College	245	4,900.00
Prairie View State Normal		10,000.00
Texas College for Women	1,234	21,595.00
Texas College of Arts and Industries	816	14,280.00
Texas Technological College	1,678	25,170.00
East Texas State Teachers College	2,448	36,720.00
North Texas State Teachers College	3,473	52,095.00
Sam Houston State Teachers College	1,410	21,150.00
S. W. Texas State Teachers College	2,029	30,435.00
Stephen F. Austin State Teachers College	1,109	19,407.50
Sul Ross State Teachers College	751	15,020.00
West Texas State Teachers College	1,128	19,740.00
College of Mines and Metallurgy	371	7,420.00
TOTAL		\$389,347.50

"Section 2. Full-time employees on twelve (12) months basis may not be paid additional money for summer school teaching and such employees as are on a nine (9) months basis of employment, whose services are continued in summer school work, shall be paid on a monthly basis not to exceed the amount paid for the same or similar services during the long session next preceding.

"Section 3. The fact that no provision has been made previously for summer schools at the institutions named in this Act creates an emergency and an imperative public necessity that the Constitutional Rule, requiring bills to be read on three several days, be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Amend House Bill No. 271, by striking out all above the enacting clause and insert in lieu thereof the following:

"An Act making appropriations for the support and maintenance of summer schools during the summer of the year 1937, at the several State Institutions of Higher Learning in the State of Texas, authorizing the expenditure by said Institutions of certain additional amounts from fees collected from summer school students, and declaring an emergency."

The amendments were severally adopted.

House Bill No. 271 was then passed to engrossment.

HOUSE BILL NO. 271 ON THIRD READING

Mr. Cagle moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 271 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Adkins	Bond
Alexander	Boyer
Alsup	Bradbury
Amos	Bradford
Baker	Bridgers
Beckworth	Brown
Bell	Burton
Blankenship	Cagle
Boethel	Callan

Carssow	Mays
Cathey	McConnell
Cauthorn	McCracken
Cleveland	McDonald
Davis of Haskell	McFarland
Davis of Jasper	McKee
Davison of Fisher	McKinney
Davison of Eastland	Metcalfe
Deglandon	Moffett
Derden	Monkhouse
Dickison	Morris
England	Morse
Farmer	Newton
Felty	Nicholson
Fielden	Oliver
Fox	Patterson of Mills
Gibson	Patterson of Travis
Graves	Powell
Hamilton	Prescott
Hankamer	Quinn
Hanna	Ragsdale
Harbin	Reader
Hardin	Reed of Bowie
Harper	Reed of Dallas
Harris of Archer	Rhodes
Harris of Dallas	Riddle
Harris of Dickens	Roark
Hartzog	Ross
Hoskins	Russell
Huddleston	Rutta
Hyder	Schuenemann
Jackson	Settle
Johnson of Ellis	Sewell
Johnson of Tarrant	Sharpe
Jones of Angelina	Shell
Jones of Falls	Simpson
Jones of Wise	Skaggs
Keefe	Smith of Hopkins
Keith	Smith of Matagorda
Kelt	Smith of Tarrant
Kenyon	Stinson
Kern	Stocks
King	Talbert
Knetsch	Tennant
Langdon	Tennyson
Lankford	Thornberry
Lanning	Thornton
Leath	Vale
Leonard	Waggoner
Levendecker	Walker
Little	Weldon
Loggins	Westbrook
London	Winfree
Lucas	Wood
Mann	Worley

Absent

Broadfoot	Heflin
Celaya	Herzik
Dollins	Holland
Fuchs	Howard
Harrell	Hull

Jones of Atascosa Pope
Mauritz Stevenson
Palmer

Absent—Excused

Bates James
Colquitt Petsch
Dean Tarwater

The Speaker then laid House Bill No. 271 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—122

Adkins	Hyder
Alexander	Jackson
Alsup	Johnson of Ellis
Amos	Johnson
Baker	of Tarrant
Beckworth	Jones of Angelina
Bell	Jones of Falls
Blankenship	Jones of Wise
Boethel	Keefe
Bond	Keith
Boyer	Kelt
Bradbury	Kern
Bradford	King
Bridgers	Knetsch
Broadfoot	Langdon
Brown	Lankford
Burton	Lanning
Cagle	Leath
Callan	Leonard
Carssow	Leyendecker
Cathey	Little
Cauthorn	Loggins
Cleveland	London
Davison of Fisher	Lucas
Davisson	Mays
of Eastland	McConnell
Deglandon	McCracken
Derden	McDonald
Dickison	McFarland
England	McKee
Farmer	Metcalfe
Felty	Moffett
Fielde	Monkhouse
Fox	Morris
Gibson	Morse
Graves	Newton
Hamilton	Nicholson
Hankamer	Oliver
Hanna	Palmer
Harbin	Patterson of Mills
Hardin	Patterson
Harper	of Travis
Harris of Archer	Powell
Harris of Dallas	Prescott
Harris of Dickens	Quinn
Hartzog	Ragsdale
Hoskins	Reader
Huddleston	Reed of Bowie

Reed of Dallas	Smith of Tarrant
Rhodes	Stocks
Roark	Talbert
Ross	Tennant
Russell	Tennyson
Rutta	Thornberry
Schuenemann	Thornton
Settle	Vale
Sewell	Waggoner
Sharpe	Walker
Shell	Weldon
Simpson	Westbrook
Skaggs	Wood
Smith of Hopkins	Worley
Smith	
of Matagorda	

Nays—1

Kenyon

Absent

Celaya	Jones of Atascosa
Davis of Jasper	Mann
Dollins	Mauritz
Fuchs	McKinney
Harrell	Pope
Heflin	Riddle
Herzik	Stevenson
Holland	Stinson
Howard	Winfree
Hull	

Absent—Excused

Bates	James
Colquitt	Petsch
Davis of Haskell	Tarwater
Dean	

HOUSE BILL NO. 352 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 352, A bill to be entitled "An Act to provide for the inspection of steam boilers; defining certain terms; requiring a permit to operate; exempting certain boilers from the provisions of the Act; providing for appointment of a Boiler Inspector and Deputies; providing for promulgation of rules and regulations by the Commissioner of Labor covering the inspection and operation of steam boilers; providing for certain hearings; providing for collection of fees for boiler inspection; providing for publications of rules and regulations; providing for penalties for failure to comply with the provisions of this Act and rules enacted pursuant thereto; for injunction after notice against violators; providing for clerical assistants and supplies; fixing

salaries and creating a 'Special Boiler Inspection Fund'; making an appropriation out of the General Revenue Fund; providing a saving clause, and declaring an emergency."

The bill having been read second time on Tuesday, February 23.

Mr. Thornton offered the following amendment to the bill:

Amend House Bill No. 352, by adding a new subdivision to Section 3 of said bill to be known as Subsection and reading, as follows:

"Section (). Every boiler which has been inspected by an inspector for an Insurance Company authorized to do business in this State on which such Insurance Company has issued a policy of insurance after an inspection thereof; provided that the inspector for said Insurance Company shall furnish a copy of said report of his investigation and the person or concern owning said boiler shall furnish a copy of said report to the Labor Commissioner of the State of Texas; provided further that the said Labor Commissioner shall issue a Certificate of Inspection to the person or concern who owns said boiler. It shall be the duty of every owner to keep the Certificate in a conspicuous place near the boiler to which it relates. It shall be the duty of each Insurance Company to notify the Labor Commissioner immediately upon cancellation of any and every steam boiler insurance policy; and the Labor Commission shall immediately order said boiler inspected by a State inspector."

THORNTON,
ROARK.

The amendment was adopted.

Mr. Thornton offered the following amendment to the bill:

Amend House Bill No. 352, by striking out lines 38, 39 and 40 on page 3, and lines 1 through 20, on page 4.

The amendment was adopted.

Mr. Blankenship offered the following amendment to the bill:

Amend House Bill No. 352, Section 10, by adding thereto the following: "All incorporated towns and cities that now or hereafter have inspector or inspectors whose duty is to inspect boilers in said incorporated towns or cities shall be exempt from the provisions herein."

The amendment was adopted.

Mr. Wood offered the following amendments to the bill:

Amend House Bill No. 352, page 5, by adding the following after the word "Act", in line 38: "provided however that the salaries and employees shall not exceed those allowed by the General Appropriation bill."

Amend House Bill No. 352, page 8, Section 17, by adding the following after the word "labor" in line 30: "provided further that all remaining funds at the end of each fiscal year shall be paid into the State Treasury and credited to the credit of the General Fund."

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 352 was then passed to engrossment.

HOUSE BILL NO. 352 ON THIRD READING

Mr. Tennant moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 352 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Adkins	Farmer
Alexander	Felty
Alsup	Fielden
Amos	Fuchs
Baker	Gibson
Beckworth	Graves
Bell	Hamilton
Blankenship	Hankamer
Boethel	Harbin
Bond	Hardin
Boyer	Harper
Bradbury	Harris of Archer
Bradford	Harris of Dallas
Broadfoot	Harris of Dickens
Brown	Herzik
Burton	Holland
Callan	Hoskins
Carssow	Huddleston
Cathey	Hyder
Cauthorn	Jackson
Celaya	Johnson of Ellis
Cleveland	Johnson
Deglandon	of Tarrant
Dickison	Jones of Angelina
Dollins	Jones of Falls

Keefe	Quinn
Keith	Ragsdale
Kelt	Reader
Kern	Reed of Bowie
King	Reed of Dallas
Knetsch	Rhodes
Langdon	Riddle
Lankford	Roark
Lanning	Ross
Leath	Rutta
Leonard	Schuenemann
Leyendecker	Settle
Little	Sewell
Loggins	Shell
Lucas	Simpson
Mann	Skaggs
Mauritz	Smith of Hopkins
Mays	Smith
McConnell	of Matagorda
McDonald	Smith of Tarrant
McKee	Stinson
McKinney	Stocks
Metcalfe	Talbert
Moffett	Tennant
Monkhouse	Thornberry
Morris	Thornton
Morse	Vale
Newton	Waggoner
Nicholson	Walker
Oliver	Weldon
Patterson of Mills	Westbrook
Patterson	Winfree
of Travis	Wood
Pope	Worley
Powell	

Nays—11

Cagle	Jones of Wise
Davison of Fisher	London
Derden	McFarland
Fox	Russell
Hanna	Sharpe
Harrell	

Absent

Bridgers	Hull
Davis of Jasper	Jones of Atascosa
Davison	Kenyon
of Eastland	McCracken
England	Palmer
Hartzog	Prescott
Heflin	Stevenson
Howard	Tennyson

Absent—Excused

Bates	James
Colquitt	Petsch
Davis of Haskell	Tarwater
Dean	

The Speaker then laid House Bill No. 352 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118

Adkins	Leonard
Alexander	Leyendecker
Alsup	Little
Amos	Loggins
Baker	Lucas
Beckworth	Mann
Bell	Mays
Blankenship	McConnell
Boethel	McDonald
Bond	McKee
Boyer	McKinney
Bradbury	Metcalfe
Bradford	Moffett
Broadfoot	Monkhouse
Brown	Morris
Burton	Morse
Callan	Newton
Carssow	Nicholson
Cathey	Oliver
Cauthorn	Palmer
Celaya	Patterson of Mills
Cleveland	Patterson
Davison	of Travis
of Eastland	Pope
Deglandon	Powell
Dickison	Quinn
Dollins	Ragsdale
England	Reader
Farmer	Reed of Bowie
Felty	Reed of Dallas
Fielden	Rhodes
Fuchs	Roark
Gibson	Ross
Graves	Russell
Hamilton	Rutta
Harbin	Schuenemann
Hardin	Settle
Harrell	Sewell
Harris of Archer	Shell
Harris of Dallas	Simpson
Harris of Dickens	Skaggs
Herzik	Smith of Hopkins
Holland	Smith
Hoskins	of Matagorda
Huddleston	Smith of Tarrant
Hyder	Stevenson
Jackson	Stinson
Johnson of Ellis	Stocks
Johnson	Talbert
of Tarrant	Tennant
Jones of Angelina	Tennyson
Jones of Falls	Thornberry
Keefe	Thornton
Keith	Vale
Kelt	Waggoner
Kern	Walker
King	Weldon
Knetsch	Westbrook
Langdon	Winfree
Lankford	Wood
Leath	Worley

Nays—12

Cagle	Jones of Wise
Davison of Fisher	Lanning
Derden	London
Fox	McFarland
Hankamer	Riddle
Hanna	Sharpe

Absent

Bridgers	Hull
Davis of Jasper	Jones of Atascosa
Harper	Kenyon
Hartzog	Mauritz
Heflin	McCracken
Howard	Prescott

Absent—Excused

Bates	James
Colquitt	Petsch
Davis of Haskell	Tarwater
Dean	

HOUSE BILL NO. 6 ON THIRD
READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 6, A bill to be entitled "An Act to amend Section 2 of Chapter 162, Acts, Regular Session of the Forty-third Legislature, page 409, as amended by Chapter 12, Acts, First Called Session of the Forty-third Legislature, as amended by Chapter 495, Section Four, Article Four, House Bill No. 8, Third Called Session, Forty-fourth Legislature, and declaring an emergency."

The bill was read third time.

Mr. Tennyson offered the following amendment to the bill:

Amend House Bill No. 6, Section 2 (1a) page 1, by changing "six (6) cents" and "six (6) per cent" wherever they appear in said section to "3¼ cents" and "3¼ per cent".

TENNYSON,
GIBSON,
THORNTON.

Mr. Sharpe moved the previous question on the final passage of House Bill No. 6, and the motion was duly seconded.

Mr Gibson raised a point of order, on further consideration of the motion for the main question, at this time, on the ground that the bill has not been given a free and full discussion in accordance with the provisions of the Constitution.

The Speaker overruled the point of order.

Mr. Morse raised the point of order that the motion for the main question on the passage of House Bill No. 6 is out of order, at this time, without including the amendment by Mr. Tennyson and others, which amendment has been offered and read and is now pending before the House, and that the motion for the main question, at this time, should also include the pending amendment.

The Speaker overruled the point of order.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—74

Adkins	Langdon
Amos	Lankford
Beckworth	Lucas
Bell	Mann
Boethel	Mauritz
Bridgers	Mays
Broadfoot	McDonald
Brown	McKinney
Burton	Monkhouse
Cagle	Morris
Callan	Newton
Cathey	Oliver
Cauthorn	Palmer
Cleveland	Patterson of Mills
Davis of Haskell	Patterson
Davison of Fisher	of Travis
Deglandon	Powell
Derden	Prescott
Dollins	Ragsdale
England	Reader
Farmer	Reed of Bowie
Fox	Rhodes
Graves	Ross
Hamilton	Russell
Hardin	Rutta
Harper	Sewell
Harrell	Sharpe
Holland	Skaggs
Huddleston	Smith of Hopkins
Johnson of Ellis	Smith
Jones of Angelina	of Matagorda
Jones of Falls	Smith of Tarrant
Jones of Wise	Stocks
Keefe	Thornberry
Kelt	Waggoner
Kenyon	Weldon
Kern	Westbrook
King	Worley

Nays—66

Alexander	Baker
Alsup	Blankenship

Bond	Leonard	Boethel	Loggins
Boyer	Leyendecker	Bridgers	Lucas
Bradbury	Little	Broadfoot	Mann
Bradford	Loggins	Brown	Mauritz
Carssow	London	Burton	Mays
Celaya	McConnell	Cagle	McDonald
Davisson	McCracken	Callan	Monkhouse
of Eastland	McFarland	Cathey	Morris
Dickison	McKee	Cleveland	Newton
Felty	Metcalfe	Davis of Jasper	Oliver
Fielden	Moffett	Davison of Fisher	Palmer
Fuchs	Morse	Deglandon	Patterson of Mills
Gibson	Nicholson	Derden	Patterson
Hankamer	Pope	Dickison	of Travis
Hanna	Quinn	Dollins	Powell
Harbin	Reed of Dallas	England	Prescott
Harris of Archer	Riddle	Farmer	Ragsdale
Harris of Dallas	Roark	Fox	Reader
Harris of Dickens	Schuenemann	Fuchs	Reed of Bowie
Hartzog	Settle	Graves	Rhodes
Heflin	Shell	Hamilton	Ross
Herzik	Simpson	Harbin	Russell
Hoskins	Stevenson	Harper	Rutta
Hull	Stinson	Harrell	Sewell
Hyder	Talbert	Holland	Sharpe
Jackson	Tennant	Huddleston	Simpson
Johnson	Tennyson	Johnson of Ellis	Skaggs
of Tarrant	Thornton	Jones of Angelina	Smith of Hopkins
Jones of Atascosa	Vale	Jones of Falls	Smith
Knetsch	Walker	Jones of Wise	of Matagorda
Lanning	Winfree	Keefe	Smith of Tarrant
Leath	Wood	Kelt	Stocks
		Kenyon	Thornberry
		Kern	Waggoner
		Langdon	Weldon
		Lankford	Westbrook
Present—Not Voting		Nays—65	
Keith	Absent	Alexander	Jackson
		Alsup	Johnson
Davis of Jasper	Howard	Baker	of Tarrant
		Blankenship	Jones of Atascosa
	Absent—Excused	Bond	Keith
Bates	James	Boyer	King
Colquitt	Petsch	Bradbury	Knetsch
Dean	Tarwater	Bradford	Lanning
PAIRED		Carssow	Leath
Mr. Keith (present), who would		Cauthorn	Leonard
vote "yea", with Mr. Dean (absent),		Celaya	Leyendecker
who would vote "nay".		Davisson	Little
Mr. Worley moved to reconsider		of Eastland	London
the vote by which the main question		Felty	McConnell
was ordered.		Fielden	McCracken
Mr. Hardin moved to table the mo-		Gibson	McFarland
tion to reconsider.		Hankamer	McKee
Question recurring on the motion		Hanna	McKinney
to table, yeas and nays were de-		Harris of Archer	Metcalfe
manded.		Harris of Dallas	Moffett
The motion to table prevailed by		Harris of Dickens	Morse
the following vote:		Hartzog	Nicholson
		Herzik	Pope
		Hoskins	Quinn
		Hull	Reed of Dallas
		Hyder	Riddle
Yeas—74			
Adkins	Beckworth		
Amos	Bell		

Roark	Tennyson
Schuenemann	Thornton
Settle	Vale
Shell	Walker
Stevenson	Winfree
Stinson	Wood
Talbert	Worley
Tennant	

Absent

Hardin	Howard
Heflin	

Absent—Excused

Bates	James
Colquitt	Petsch
Davis of Haskell	Tarwater
Dean	

House Bill No. 6 was then passed by the following vote:

Yeas—90

Adkins	Huddleston
Alsup	Hyder
Amos	Johnson of Ellis
Baker	Jones of Angelina
Beckworth	Jones of Falls
Bell	Jones of Wise
Boethel	Keefe
Bond	Kelt
Bradbury	Kern
Bridgers	King
Broadfoot	Knetsch
Brown	Langdon
Burton	Lankford
Cagle	Loggins
Callan	Lucas
Carsow	Mann
Cathey	Mauritz
Cauthorn	Mays
Cleveland	McDonald
Davis of Haskell	Metcalfe
Davis of Jasper	Monkhouse
Davison of Fisher	Morris
Deglandon	Newton
Derden	Oliver
Dickison	Palmer
Dollins	Patterson of Mills
England	Patterson
Farmer	of Travis
Felty	Powell
Fox	Prescott
Fuchs	Ragsdale
Graves	Reader
Hamilton	Reed of Bowie
Harbin	Rhodes
Hardin	Ross
Harper	Russell
Harrell	Rutta
Harris of Dickens	Sowell
Herzik	Sharpe
Holland	Simpson
Howard	Skaggs

Smith of Hopkins	Talbert
Smith	Thornberry
of Matagorda	Waggoner
Smith of Tarrant	Weldon
Stocks	Westbrook

Nays—52

Alexander	London
Blankenship	McConnell
Boyer	McCracken
Bradford	McFarland
Celaya	McKee
Davisson	McKinney
of Eastland	Moffett
Fielden	Morse
Gibson	Nicholson
Hankamer	Pope
Hanna	Quinn
Harris of Archer	Reed of Dallas
Harris of Dallas	Riddle
Hartzog	Roark
Heflin	Schuenemann
Hoskins	Settle
Hull	Shell
Jackson	Stevenson
Johnson	Stinson
of Tarrant	Tennant
Jones of Atascosa	Tennyson
Kenyon	Thornton
Lanning	Vale
Leath	Walker
Leonard	Winfree
Leyendecker	Wood
Little	Worley

Present—Not Voting

Keith

Absent—Excused

Bates	James
Colquitt	Petsch
Dean	Tarwater

PAIRED

Mr. Keith (present), who would vote "yea", with Mr. Dean (absent), who would vote "nay".

Mr. Lucas moved to reconsider the vote by which House Bill No. 6 was passed, and to table the motion to reconsider.

The motion to table prevailed.

REASON FOR VOTE

The records show that I voted for an increase in the tax on crude oil until my amendment calling for the levy of same to be made on a per cent basis, instead of a levy per barrel, was defeated by the House. I do not think that the cheap oil of my

district should be forced to pay on the per barrel basis.

I also voted against a Six (\$.06) Cent and a Ten (\$.10) Cent per barrel tax on oil, because I think a Two Hundred and Fifty (250%) Per Cent increase in a tax on any individual or concern is unjust and unreasonable.

FIELDEN.

HOUSE BILL NO. 277 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 277, A bill to be entitled "An Act providing relief for the Old Glory Rural High Common School District No. 4 of Stonewall County, Texas, in replacing buildings and equipment destroyed by a disastrous fire on December 13th, 1936; making an appropriation for said district to replace said buildings and equipment, and declaring an emergency."

The bill was read third time.

Question—Shall House Bill No. 277 be passed?

AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 218

Mr. Hardin offered the following resolution:

H. C. R. No. 48, Authorizing certain correction in House Bill No. 218.

Whereas, House Bill No. 218 has passed the House and Senate; and

Whereas, Said House Bill No. 218 was amended in the Senate and the caption does not conform to the body of the bill; and

Whereas, Said bill contains certain typographical errors in Section 2; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be instructed to make the caption of said bill conform to the body of the bill, and correct Section 2 by changing the word "South" in line 9 to "North" and the word "North" in lines 5 and 8 to "South".

The resolution was read second time, and was adopted.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice

thereof and their captions had been read severally, the following enrolled bills and resolution:

S. B. No. 200, "An Act providing for the installation of signal units on State highways outside of incorporated cities and towns, and declaring an emergency."

S. B. No. 219, "An Act creating a more efficient special road law for Van Zandt County, Texas, and declaring an emergency."

S. C. R. No. 40, Inviting Honorable Tom Connally to address a Joint Session of the House and Senate.

HOUSE BILL NO. 245 WITH SENATE AMENDMENTS

My Davis of Haskell called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 245, A bill to be entitled "An Act to declare a closed season on the killing of deer and turkey in Throckmorton and Shackelford Counties for a period ending February 1st, 1941; prescribing a penalty therefor, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Davis of Haskell, the House concurred in the Senate amendments by the following vote:

Yeas—126

Adkins	Dickison
Alsup	Dollins
Amos	England
Baker	Farmer
Beckworth	Felty
Bell	Fielden
Boethel	Fox
Bond	Fuchs
Boyer	Gibson
Bradbury	Graves
Bradford	Hamilton
Bridgers	Hankamer
Brown	Hanna
Burton	Harbin
Cagle	Hardin
Callan	Harper
Carssow	Harris of Archer
Cauthorn	Harris of Dallas
Celaya	Harris of Dickens
Cleveland	Hartzog
Davis of Haskell	Heflin
Davison of Fisher	Holland
Davisson	Hoskins
of Eastland	Hull
Deglandon	Hyder
Derden	Jackson

Johnson of Ellis	Quinn
Jones of Angelina	Ragsdale
Jones of Atascosa	Reader
Jones of Falls	Reed of Bowie
Jones of Wise	Reed of Dallas
Keefe	Rhodes
Keith	Riddle
Kenyon	Roark
Kern	Ross
King	Russell
Knetsch	Rutta
Langdon	Schuenemann
Lankford	Settle
Lanning	Sewell
Leath	Sharpe
Leyendecker	Shell
Little	Simpson
Loggins	Skaggs
London	Smith of Hopkins
Lucas	Smith
Mann	of Matagorda
Mauritz	Smith of Tarrant
Mays	Stevenson
McCracken	Stinson
McFarland	Stocks
McKee	Talbert
Metcalfe	Tennant
Moffett	Tennyson
Monkhouse	Thornberry
Morris	Thornton
Morse	Vale
Newton	Waggoner
Oliver	Walker
Palmer	Weldon
Patterson of Mills	Westbrook
Patterson	Winfree
of Travis	Wood
Pope	Worley
Prescott	

Present—Not Voting

Blankenship Powell

Absent

Alexander	Johnson
Broadfoot	of Tarrant
Cathey	Kelt
Davis of Jasper	Leonard
Harrell	McConnell
Herzik	McDonald
Howard	McKinney
Huddleston	Nicholson

Absent—Excused

Bates	James
Colquitt	Petsch
Dean	Tarwater

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before

the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 193, to the Committee on Municipal and Private Corporations.

ADDITIONAL SIGNERS OF BILLS AND RESOLUTION

The following Members were authorized to sign bills and resolution, as co-authors of same, as follows:

Mr. King and Mr. Langdon, House Bill No. 600.

Mr. Harris of Dickens and Mr. Metcalfe, House Bill No. 397.

Mr. Harris of Dallas, House Bill No. 884.

Mr. Dickison and Mr. Newton, House Bill No. 816.

Mr. Harrell, House Bill No. 398.

Mr. Quinn, House Joint Resolution No. 28.

By unanimous consent of the House, Mr. Davison of Fisher was authorized to sign House Bill No. 397, as joint author of same.

ADJOURNMENT

On motion of Mr. Gibson, the House, at 12:15 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Appropriations: House Bills Nos. 603 and 641.

Highways and Motor Traffic: House Bill No. 781; Senate Bills Nos. 200 and 219.

Public Health: House Bills Nos. 257, 422, 555, 581, 669, 762 and 763.

Public Lands and Buildings: House Bill No. 642.

State Affairs: House Bills Nos. 68, 647, 648, 660, 663, 723 and 731; House Concurrent Resolutions Nos. 38, 39, 42, 45, 46 and 47.

The Committee on Highways and Motor Traffic filed an adverse report on House Bill No. 382.

REPORT OF THE COMMITTEE ON
ENGROSSED BILLS

Committee Room,

Austin, Texas, March 1, 1937.

Hon. R. W. Calvert, Speaker of the
House of Representatives.Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 6, A bill to be entitled
"An Act to amend Section 2 of
Chapter 162, Acts, Regular Session of
the Forty-third Legislature, page 409,
as amended by Chapter 12, Acts, First
Called Session of the Forty-third Leg-
islature, as amended by Chapter 495,
Section Four, Article Four, House Bill
8, Third Called Session, Forty-fourth
Legislature, and declaring an emer-
gency."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

THIRTIETH DAY

(Thursday, March 4, 1937)

The House met at 10:00 o'clock a.
m., pursuant to adjournment, and was
called to order by Speaker Calvert.

The roll of the House was called
and the following Members were
present:

Mr. Speaker	Davis of Jasper
Adkins	Davison of Fisher
Alexander	Davison
Alsup	of Eastland
Amos	Dean
Baker	Deglandon
Bates	Derden
Beckworth	Dickison
Bell	Dollins
Blankenship	England
Boethel	Farmer
Bond	Felty
Boyer	Fielden
Bradbury	Fox
Bradford	Fuchs
Bridgers	Gibson
Broadfoot	Graves
Brown	Hamilton
Burton	Hankamer
Cagle	Hanna
Callan	Harbin
Carsow	Hardin
Cathey	Harper
Cauthorn	Harrell
Celaya	Harris of Archer
Cleveland	Harris of Dallas
Davis of Haskell	Harris of Dickens

Hartzog	Nicholson
Heflin	Oliver
Herzik	Palmer
Holland	Patterson of Mills
Hoskins	Patterson
Howard	of Travis
Huddleston	Pope
Hull	Powell
Hyder	Prescott
Jackson	Quinn
Johnson of Ellis	Ragsdale
Johnson	Reader
of Tarrant	Reed of Bowie
Jones of Angelin	Reed of Dallas
Jones of Atascosa	Rhodes
Jones of Falls	Riddle
Jones of Wise	Roark
Keefe	Ross
Keith	Russell
Kelt	Rutta
Kenyon	Schuenemann
Kern	Settle
King	Sewell
Knetsch	Sharpe
Langdon	Shell
Lankford	Simpson
Lanning	Skaggs
Leath	Smith of Hopkins
Leyendecker	Smith
Little	of Matagorda
Loggins	Smith of Tarrant
London	Stevenson
Lucas	Stinson
Mann	Stocks
Mauritz	Talbert
Mays	Tennant
McConnell	Tennyson
McCracken	Thornberry
McDonald	Thornton
McFarland	Vale
McKee	Waggoner
McKinney	Walker
Metcalfe	Weldon
Moffett	Winfree
Monkhouse	Westbrook
Morris	Wood
Morse	Worley
Newton	

Absent—Excused

Colquitt	Petsch
James	Tarwater
Leonard	

A quorum was announced present.

Rev. George W. Coltrin, Chaplain,
offered prayer.

LEAVES OF ABSENCE GRANTED

The following Member was granted
leave of absence on account of im-
portant business:

Mr. McConnell, temporarily for to-
day, on motion of Mr. Ross.